

C2  
Cont. adenovirus 5 E4 ORF6 DNA gene fragment designated ATCC CRL#  
11990.

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62. (amended) A recombinant [adenoviral vector]  
replication-defective adenovirus, wherein [said vector] the  
genome of said adenovirus comprises at least a lethal deletion  
or mutation in two gene regions selected from the group  
consisting of E1, E2A, E4 early gene regions, [viral  
structural genes] and additionally comprises a transgene under  
the control of the human phosphoglycerate kinase promoter, [so  
that when rescued the resulting recombinant adenovirus  
required for replication complementation of both the E1 and E4  
adenoviral early gene regions] such that the replication-  
defective adenovirus requires for complementation in trans at  
least the E1 and E4 early gene regions, and at most requires  
complementation of all three early gene regions.

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#### REMARKS

The claims have been amended as suggested by the  
Examiner to more particularly point out and distinctly claim  
the invention. Applicants submit herewith a statement by  
Attorneys for Applicants regarding the permanence and  
availability of the microorganism deposits.